

REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended and in light of the following discussion is respectfully requested.

Claims 1-3 and 5-26 are currently pending. The present Amendment amends Claim 1 and cancels Claim 4 without prejudice or disclaimer. The changes to the claims are supported by the originally filed application. No new matter has been added.

In the outstanding Office Action, the drawings were objected to because of informalities; the specification was objected to because of informalities; Claims 1-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kojima et al. (U.S. Application Publication No. 2003/0153828, herein "Kojima") in view of Boyd (U.S. Patent No. 4,977,585); Claims 4-12 were objected to but noted as allowable if rewritten in independent form; and Claims 13-26 were allowed. Applicant appreciatively acknowledges the indication of allowable subject matter in the claims.

In response to the objection to Claim 4, Claim 1 is amended to incorporate allowable Claim 4. Accordingly, Claim 4 is cancelled without prejudice or disclaimer. Therefore, Applicant respectfully submits that amended Claim 1 and associated dependent Claims 2, 3, and 5-12 are allowable.

In response to the objection to the specification because of informalities, the specification is amended to correct the cited informalities. Specifically, reference "24" at page 7, line 20, has been replaced with "14" as suggested in the Office Action. Accordingly, the grounds for the objection are believed to have been overcome. Therefore, it is respectfully requested that the objection to the specification be withdrawn.

In response to the objection to the drawings, Applicant respectfully requests reconsideration of the objection in light of the following discussion and amendment.

The Office Action asserts that the claimed “operation unit” is not shown in the figures. Applicant respectfully disagrees and submits that the specification states at page 6, lines 6-7, that “[o]bserving the scan plan image, the operator may operate the console 12 to adjust the imaging area.” It is respectfully submitted, that it would be clear, even to someone not skilled in the art, that the console 12 operated by the operator supports the claimed “operating unit.” For instance, a definition of console, provided here for the benefit of the Examiner and to which the claims are not limited in any way, is “an instrument panel or unit, containing gauges and the controls for operating aircraft, automobiles, computers, and other electrical or electronic systems.”¹ Therefore, Applicant respectfully submits that the claimed “operating unit” is represented in Fig. 2 as the console 12. Furthermore, in the spirit of concluding prosecution in the present application, the specification is amended to recite “the operator may operate an operating unit, also designated as the console, 12 to adjust the imaging area” so that it is clear that item 12 corresponds to the console or operating unit.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-3 and 5-26 is earnestly solicited.

¹ Webster's New World College Dictionary, 4th Edition, page 311.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 06/04)